

**Introduced by Senator Wolk**

February 21, 2014

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An act to amend Section 4780 of the Probate Code, relating to health care decisions.

LEGISLATIVE COUNSEL'S DIGEST

SB 1357, as introduced, Wolk. Resuscitative measures.

Existing law defines a request regarding resuscitative measures as a written document, signed by an individual with capacity, or a legally recognized health care decisionmaker, and the individual's physician, directing a health care provider regarding resuscitative measures. Existing law distinguishes a request regarding resuscitative measures from an advance health care directive.

This bill would make nonsubstantive changes in these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 4780 of the Probate Code is amended to
- 2 read:
- 3 4780. (a) As used in this part:
- 4 (1) "Request regarding resuscitative measures" means a written
- 5 document, signed by ~~(A)~~ an individual with capacity, or a legally
- 6 recognized health care decisionmaker, and ~~(B)~~ the individual's
- 7 physician, that directs a health care provider regarding resuscitative
- 8 measures. A request regarding resuscitative measures is not an
- 9 advance health care directive.

1 (2) “Request regarding resuscitative measures” includes one,  
2 or both of, the following:

3 (A) A prehospital “do not resuscitate” form as developed by  
4 the Emergency Medical Services Authority or other substantially  
5 similar form.

6 (B) A Physician Orders for Life Sustaining Treatment form, as  
7 approved by the Emergency Medical Services Authority.

8 (3) “Physician Orders for Life Sustaining Treatment form”  
9 means a request regarding resuscitative measures that directs a  
10 health care provider regarding resuscitative and life-sustaining  
11 measures.

12 (b) A legally recognized health care decisionmaker may execute  
13 the Physician Orders for Life Sustaining Treatment form only if  
14 the individual lacks capacity, or the individual has designated that  
15 the decisionmaker’s authority is effective pursuant to Section 4682.

16 (c) The Physician Orders for Life Sustaining Treatment form  
17 and medical intervention and procedures offered by the form shall  
18 be explained by a health care provider, as defined in Section 4621.  
19 The form shall be completed by a health care provider based on  
20 patient preferences and medical indications, and signed by a  
21 physician and the patient or his or her legally recognized health  
22 care decisionmaker. The health care provider, during the process  
23 of completing the Physician Orders for Life Sustaining Treatment  
24 form, should inform the patient about the difference between an  
25 advance health care directive and the Physician Orders for Life  
26 Sustaining Treatment form.

27 (d) An individual having capacity may revoke a Physician  
28 Orders for Life Sustaining Treatment form at any time and in any  
29 manner that communicates an intent to revoke, consistent with  
30 Section 4695.

31 (e) A request regarding resuscitative measures may also be  
32 evidenced by a medallion engraved with the words “do not  
33 resuscitate” or the letters “DNR,” a patient identification number,  
34 and a 24-hour toll-free telephone number, issued by a person  
35 pursuant to an agreement with the Emergency Medical Services  
36 Authority.

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